

Illinois

ANNUAL REPORT ON THE EFFICACY OF CAPACITY DEVELOPMENT September 30, 2013

**Illinois Environmental Protection Agency
Division of Public Water Supplies
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276**

December 2013

This report is intended to meet the Capacity Development Program reporting requirements under the Safe Drinking Water Act Amendments of 1996 (PL 104-182, August 6, 1996, Title XIV, Section 1420).

As described in the Illinois Annual Report of the Efficacy of Capacity Development, September 30, 2005 (available at: <http://www.epa.state.il.us/water/field-ops/drinking-water/capacity-development/index.html>), Illinois' program has been implemented in two parts.

1. First, all new public water supplies that became active after October 1, 1999, were required to complete a capacity development demonstration. Illinois adopted regulations to implement this requirement. Failure to meet this deadline would have resulted in a loss of up to 20% of the State Revolving Loan Fund monies allocated to Illinois each year.
2. Second, Illinois was required to develop a Capacity Development Strategy by September 30, 2000. The purpose of this Strategy is to structure a work plan that Illinois will implement to ensure that existing public water supplies have the capacity to achieve compliance, and continue to operate in compliance with all existing and future drinking water program standards and requirements. Failure to meet this deadline would have resulted in a loss of up to 20% of the State Revolving Loan Fund monies allocated to Illinois each year. The Illinois Capacity Development Strategy was approved by USEPA on September 27, 2000.

Furthermore, as required, in 2011 a triennial report to the Governor of the Illinois was prepared and made available to the public (at <http://www.epa.state.il.us/water/field-ops/drinking-water/capacity-development/index.html>). The Illinois Environmental Protection Agency (EPA) and Department of Public Health (DPH) continue to support the capacity development program and are convinced that maintaining overall public water system capacity is essential in operating a safe public water supply. Implementation of substantial technical assistance is requisite to accomplishing capacity development in public water supplies that are in distress. This is a high priority of both Illinois EPA and DPH. Many of the original premises presented in the Illinois Capacity Development Strategy are proving to be accurate. That is, the resource demands of true capacity assistance are significant. However, Illinois continues to believe that capacity development is an integral element of the working relationship between regulatory staff and public water supply officials. As such, capacity demonstration elements will continue to be integrated into the routine activities of both Agencies in order to ensure that progress is made.

Public water supplies experiencing significant non-compliance problems were first targeted for capacity development assistance, and are identified in the Illinois Strategy as Tier 1 supplies. Those undergoing formal enforcement are given an opportunity to possibly extend the final compliance date when agreement is reached for the supply to complete a capacity demonstration. This process provides an opportunity for the supply to determine complete overall compliance needs, rather than address only the specific current violations, and to develop a plan that will work toward achieving and maintaining compliance in all areas. Furthermore, water supplies with recurring problems or violations are a second priority (Tier 2) for capacity demonstration. These water supplies are encouraged to complete a capacity demonstration in order to remain in compliance, or to eliminate sporadic non-compliance episodes. The final priority (Tier 3) for capacity program implementation is water supplies that are in compliance at this time. It is

important that new and existing officials and operators are cognizant of the technical, managerial and financial efforts needed for a water supply to remain in compliance. Education and assistance efforts require considerable time on the part of field and headquarters staff, but have been incorporated as much as possible into routine activities to achieve continued compliance through education and cooperation of water supply officials and operators. When statewide or regional educational needs are identified, Illinois EPA works with one or more professional associations to ensure that necessary topics are covered, and that training is provided to as many water supply operators or officials as possible. This targeted effort assists water suppliers in maintaining compliance and increasing capacity. Additionally, Illinois EPA's role in providing technical assistance whenever possible and helping water suppliers locate and coordinate with other organizations and agencies when specific financial or managerial skills are needed is a key to the success of capacity development. These assistance and coordination efforts maximize existing resources while developing new tools within the Agency only when truly necessary.

The Illinois DPH, by interagency agreement with the Illinois EPA, has regulatory authority over the Non-Community Public Water Systems (NCPWS) in Illinois. Pursuant to this agreement, capacity development as it relates to Non-Transient Non-Community Public Water Systems (NTNCPWS) is the responsibility of the Department. The NCPWS Program is unique in that these systems are not in the business of producing water for resale; therefore, the treatment and monitoring of the water system has not traditionally been a routine function of the management. The water supply at these facilities is used for drinking, sanitation, and in some cases, manufacturing processes. Demonstrating capacity for these types of non-community water systems is, for the most part, a small part of the overall management, budget and operating plan for a specific public water supply. Illinois DPH uses existing field survey and visit opportunities to identify NCPWSs which need or may benefit from capacity development assistance, but approaches the water supply compliance issues from a somewhat unique perspective of a side benefit activity rather than a primary activity, and must work within the framework of the entire operation to best assist the supply in developing capacity. Central office staff coordinates the dissemination of information and education of NCPWS personnel for all new or amended regulations and requirements. When capacity assistance is needed on-site, central office staff accompanies field staff or local health department staff to provide training or technical assistance.

In summary, the following documentation provides the reporting criteria for the annual State Capacity Development Program Implementation Report as required by U.S. EPA through guidance from Cynthia Dougherty in her June 1, 2005 Memorandum. The Illinois EPA and DPH anticipate this information fulfills the annual reporting requirements for Illinois' approved strategy. **The reporting period for the data provided in this summary includes information culminating with FFY 2013.**

New Systems Program Annual Reporting Criteria

- There have been no modifications to Illinois' legal authority to implement New System Programs. (see *ILLINOIS ANNUAL REPORT ON THE EFFICACY OFCAPACITY DEVELOPMENT*, September 30, 2005 at: <http://www.epa.state.il.us/water/field-ops/drinking-water/capacity-development/index.html>)^{*}
- There have not been any modifications to Illinois' control points. (see *ILLINOIS ANNUAL REPORT ON THE EFFICACY OFCAPACITY DEVELOPMENT*, September 30, 2005)[†]
- The following data summarizes the Annual new system data for the Capacity Development Program.[‡]

Annual Report on New Systems Capacity Development Program October 1, 2012 – September 30, 2013	
Method(s) used to evaluate and verify program implementation	Construction and Operating Permits
Number of proposed new CWSs	0
Number of proposed new NTNCWSs	10
Number of approved new CWSs	4
Number of approved new NTNCWSs	8
Number of new CWSs (commenced operation after October 1, 1999)	92

^{*} U.S. EPA believes this information will help identify whether States have maintained the necessary authority to implement the new systems program.

[†] Each State's New Systems Program identified a set of Control Points, which is an integrated feature of a State's program. A control point identifies a place where the Primacy Agency (or other unit of government) can exercise its authority to ensure the demonstration of new system capacity. States should provide a discussion or a list that explains the modification(s) of control points for new systems, followed by an explanation of how and why the modification(s) have been identified. The explanation should include how the modification(s) is projected to affect the new systems program.

[‡] U.S. EPA believes that compilation of compliance data is intended to identify whether there are noncompliance patterns during the first three years of a new system's operation.

Number of new CWSs (commenced operation after October 1, 2003)	52 [§]
Number of new CWSs activated since October 1, 2003 considered to be in “significant non-compliance” ^{***}	0
Number of new NTNCWSs (commenced operation after October 1, 1999)	133
Number of new NTNCWSs (commenced operation after January 1, 2004)	93 ^{††}
Number of new NTNCWSs activated since January 1, 2004 considered to in “significant non-compliance”	1
Number of new CWSs that are not in compliance, Reason for non-compliance:	0
Number of new NTNCWs that are not in compliance, (These are mostly Phase II/V and LCR monitoring violations. Owner/Operators are generally new to the Drinking Water Regulations and have difficulty keeping up with the testing schedule and their other job duties.)	21

Existing System Strategy

- There have been no modifications to Illinois’ existing systems strategy. Both the Illinois EPA and the Illinois DPH utilized existing programs, tools and activities as described in the *ILLINOIS ANNUAL REPORT ON THE EFFICACY OFCAPACITY DEVELOPMENT, September 30, 2005*. In addition, please refer to Attachment 3 that includes a “Response to Inquiries Regarding Illinois' 2004 Capacity Development Annual Report, March 25, 2005 for further programmatic detail.
- Illinois has continued to identify systems in need of technical, financial and managerial capacity development, as described in the *ILLINOIS ANNUAL REPORT ON THE EFFICACY OFCAPACITY DEVELOPMENT, September 30, 2005* and Attachment 3 and 4 to this Report.

[§] U.S. EPA has requested the list provided in Attachment 1 to this Report.

^{***} For the purpose of this report significant non-compliance corresponds to an Enforcement Tracking Tool score greater than or equal to 11.

^{††} U.S. EPA has requested the list provided in Attachment 2 to this Report.

- During the reporting period, no statewide PWS capacity concerns or capacity development needs were identified. Over the reporting period, Illinois EPA conducted over 502 Engineering Evaluations (Sanitary Surveys) at community water systems and Illinois DPH conducted approximately 212 sanitary surveys at NTNCWS. Public water system capacity concerns were evaluated during each of these evaluations. The Illinois EPA and DPH find that each system has to be handled on an individual basis and no common trends not previously noted were identified.
- During the reporting period, no revisions or modifications to the implementation strategy for existing system strategy were made.

Attachment 1:

Community Public Water Supply Facilities Activated between October 1, 2003 and September 30, 2013					
Facility Number	Facility Name	Status A=Active P=Proposed	Status Date	Capacity Demonstration Notes/ Approval Date	ETT Score
IL0070200	POPLAR GROVE WELL 7 SERVICE AREA	P	1/24/2006	(no permit info available)	
IL0070350	POPLAR GROVE WEST-COUNTRYSIDE	A	10/1/2004	status change - system was active (exempt) prior to 10/1/1999	0
IL0170010	CASS RURAL WATER DISTRICT	A	5/1/2008	8/12/2004	0
IL0170080	ARENZVILLE RURAL WATER COOPERATIVE	A	3/2/2011	2/16/2007	0
IL0210030	SHARPSBURG AND NEIGHBORING AREA WATER SY	P	4/13/2011	5/3/2011	
IL0270040	GATEWAY REGIONAL WATER COMPANY	A	5/10/2007	5/11/2004	0
IL0310200	WOODS OF SOUTH BARRINGTON	A	7/26/2007	7/29/2005	0
IL0310230	MID-MARK WATER COMMISSION	A	1/13/2011	Discovered System-system was active prior to 10/1/1999	0
IL0310370	LINDENTREE TOWNHOMES	A	12/1/2005	10/24/2003	0
IL0311540	LA GRANGE ESTATES MHP	A	7/6/2006	Discovered System-system was active prior to 10/1/1999	0
IL0312433	LARAMIE PARK HOMEOWNER ASSOCIATION	P	10/1/2004	status change - system was active (exempt) prior to 10/1/1999	
IL0315617	EDWARD HINES JR V A HOSPITAL	A	5/17/2007	status change - system was active (exempt) prior to 10/1/1999	0
IL0315850	STERLING ESTATES MHP	A	7/1/2005	status change - system was active (exempt) prior to 10/1/1999	0
IL0350100	JEWETT	A	12/1/2003	status change - system was active (exempt) prior to 10/1/1999	0
IL0374860	SANDWICH ESTATES MHP	A	8/3/2011	status change - system was active (exempt) prior to 10/1/1999	0
IL0374865	TRIANGLE MANUFACTURED HOME COMMUNITY	A	8/18/2011	Discovered System-system was active prior to 10/1/1999	0
IL0375500	NORTHERN ILLINOIS UNIVERSITY-DEKALB	A	11/24/2004	status change - system was active (exempt) prior to 10/1/1999	0
IL0495400	EASY BREEZE MANUFACTURED HOME PARK	A	5/4/2012	system existed prior to 10/1/1999 but not regulated until 2012	0
IL0510020	KASKASKIA SPRINGS WTER CO.	P	4/21/2009	4/22/2010	

IL0578020	BERNADOTTE TOWNSHIP	P	8/5/2009	8/31/2009	
IL0750910	SUGAR CREEK MANUFACTURED HOME COMM., LLC	A	11/15/2006	Discovered System-system was active prior to 10/1/1999	0
IL0810030	MOORES PRAIRIE TOWNSHIP WATER COMPANY	A	5/9/2013	2/21/2012	0
IL0890160	PINGREE GROVE	A	10/6/2005	8/18/2004	0
IL0930300	HIGHGROVE CONSERVATION DEVELOPMENT	P	6/5/2006	5/28/2008	
IL0971200	PRAIRIE TRAILS OF LONG GROVE	A	2/18/2004	status change - system was active (exempt) prior to 10/1/1999	0
IL0975040	AQUA ILLINOIS-HAWTHORN WOODS	A	1/1/2005	1/15/2004	0
IL0975070	AQUA ILLINOIS-RAVENNA	A	8/24/2006	7/27/2004	0
IL0975090	SEDGEBROOK INC	P	6/21/2004	status change - system was active (exempt) prior to 10/1/1999	
IL0990560	MENDOTA MOBILE HOME COMMUNITY	A	5/1/2006	Discovered System-system was active prior to 10/1/1999	0
IL0995750	WEST WALNUT TRAILER COURT	A	6/9/2011	status change - system was active (exempt) prior to 10/1/1999	0
IL0995840	SHERIDAN CRCTL CNTR	A	10/15/2003	status change - system was active (exempt) prior to 10/1/1999	0
IL1030350	SAUK VALLEY STUDENT HOUSING	A	9/28/2005	5/10/2005	0
IL1050500	DANA/LONG POINT, READING, ANCONA RWD	A	6/1/2009	8/12/2005	0
IL1050650	IL AMERICAN-SAUNEMIN	A	9/1/2004	status change - system was active (exempt) prior to 10/1/1999	0
IL1090020	SCIOTA	A	11/1/2003	status change - system was active (exempt) prior to 10/1/1999	0
IL1090030	WEST PRAIRIE WATER CO-OP	A	8/22/2007	status change - system was active (exempt) prior to 10/1/1999	0
IL1110070	SPRING GROVE	P	9/23/2005	11/15/2005	
IL1110130	WOODS CREEK WATER SUPPLY	A	11/30/2005	7/22/2003	0
IL1110930	MEADOWS OF WEST BAY WATER TREATMENT	A	10/19/2007	9/15/2005	0
IL1135130	WILLOW CREEK NORTH MHP	A	8/23/2006	Discovered System-system was active prior to 10/1/1999	0
IL1150020	BOODY COMMUNITY WATER COMPANY	A	10/23/2006	8/24/2005	0
IL1170060	SOUTH PALMYRA WATER COMMISSION	A	12/19/2003	status change - system was active (exempt) prior to 10/1/1999	0

IL1235125	AUTUMN RIDGE ESTATES	A	3/29/2007	status change - system was active (exempt) prior to 10/1/1999	0
IL1270200	GALLAGHER SUBDIVISION	P	6/19/2012	not active	
IL1375050	NORTH MORGAN WATER COOP	A	11/1/2007	10/14/2005	0
IL1430080	BUFFALO HOLLOW FARMS WATER ASSOC	A	9/7/2004	status change - system was active (exempt) prior to 10/1/1999	0
IL1590200	OLNEY	A	4/3/2008	status change - system was active (exempt) prior to 10/1/1999	0
IL1615540	TENNANTS SHADY OAKS SUBDIVISION	A	10/1/2012	system existed prior to 10/1/1999 but not regulated until 2012	0
IL1630070	CONCORDIA WATER COOPERATIVE	P	12/20/2011	12/22/2011	
IL1670080	SOUTH SANGAMON WATER COMMISSION	A	5/10/2012	12/23/2010	0
IL1670090	ROUND PRAIRIE WATER COOP	A	10/8/2013	6/22/2012	0
IL1670100	WOODSIDE MHC	A	1/22/2013	status change - system was active (exempt) prior to 10/1/1999	0
IL1670110	PARK RIDGE MHC	A	1/22/2013	status change - system was active (exempt) prior to 10/1/1999	0
IL1670120	BISSELL VILLAGE MHC	A	2/11/2013	1/11/2013	0
IL1670130	NORTHBROOK MHC	A	2/11/2013	1/11/2013	0
IL1670140	EDGEWOOD MOBILE HOME COURT (MHC)	A	6/28/2013	status change - system was active (exempt) prior to 10/1/1999	0
IL1670160	RIDGE VILLAGE MHP	A	9/24/2013	status change - system was active (exempt) prior to 10/1/1999	0
IL1690020	DHS RUSHVILLE TREATMENT AND DETENTION	A	8/31/2009	status change - system was active (exempt) prior to 10/1/1999	0
IL1710020	SCOTT COUNTY RURAL WATER CO-OP	A	7/24/2008	6/10/2002	0
IL1970130	GODLEY PUBLIC WATER DISTRICT	A	8/26/2011	2/23/2000	0
IL2010030	FOREST VIEW MHP	A	6/1/2005	status change - system was active (exempt) prior to 10/1/1999	0
IL2010080	SHERIDAN GROVE SUBDIVISION	A	9/19/2007	5/4/2005	0
IL2010090	ROCK 39 WATER SYSTEM	P	3/3/2012	3/22/2012	

Attachment 2:

Non-Transient Non-Community Water Supplies Activated between January 1, 2004 and September 30, 2013				
Facility #	Facility Name	Facility Status A=Active I=Inactive	Activation Date	ETT Score
IL3147652	Cornerstone Christian Academy	A	2-24-04	
IL3147660	Springhaven Park	I	3-1-04	
IL3147728	American Precision Electronics	A	3-10-04	<11
IL3147801	All State West Plaza	A	3-25-04	
IL3147900	Barbara Rose Elementary School	A	6-10-04	
IL3148270	Ag View FS Inc.	A	10-14-05	15
IL3148361	Will County Forest Preserve Op & Maint.	A	10-18-04	
IL3148430	Rankin School Dist	A	9-7-04	
IL3148619	North Boone High School (09-27-04)	A	1-4-05	
IL3148742	Barrington Methodist Church	A	3-29-05	
IL3149039	Monsanto Agronomy Center	A	6-6-05	
IL3149088	QTC Development, Inc	A	6-7-05	
IL3149252	Countryside Private School	A	10-3-05	
IL3149427	Mobil Truck Stop	A	10-4-05	
IL3149443	Wilton Federated Church	A – Changed to Transient System	10-4-05	
IL3149559	Citgo Refinery North Well	A	8-2-06	
IL3149591	Plainfield Township	A – Changed to Transient System	1-23-06	
IL3149807	Flower Garden Toddler Center	I	2-1-06	
IL3149849	Walco Tool and Engineering	A – Changed to Transient System	2-15-06	
IL3150052	Toolamation	A	4-21-06	<11
IL3150102	Forming America Ltd.	A	4-25-06	<11
IL3150169	Merichkas	A	5-11-06	
IL3150433	Crest Foods Production	A	11-2-06	
IL3150441	Crest Foods Warehouse	A	11-2-06	
IL3150548	Monsanto Seeds	A	11-2-06	
IL3150581	Victory Christian Center	A-Changed to Transient System	1-24-07	
IL3150748	Seward Screw Products 16377	A	3-7-07	
IL3150763	Illinois Crime Lab	I	3-7-07	
IL3139337	Superior Felt	A	8-13-07	
IL3151654	Monsanto Corn Research	A	1-9-08	<11
IL3151670	Pioneer Hi-Bred Intl. Corn	A	3-4-08	

	Research			
IL3151944	Freemont Intermediate School	A	4-2-08	
IL3152173	Sav A Pet	A	5-14-08	<11
IL3152223	Apachi Day Camp	A-Changed to Transient System	5-1-08	
IL3152462	Danisco	A	10-1-08	
IL3152504	Monsanto Office	A	10-1-08	
IL3152629	Patriot Renewable Fuels	A	12-17-08	
IL3152645	Monsanto Barn	A	5-8-08	
IL3152744	Mary Sears Child Care	A	12-29-08	1
IL3152850	Deans Food Company	A	12-29-08	<11
IL3153015	Chemtool Rockton	A	3-12-09	
IL3153023	Pentecostal Center	I	12-17-08	
IL3153064	Menards	A	2-3-09	
IL3153072	Jewel Wells Spring Grove	A	3-31-09	
IL3153080	Pioneer Hi-bred Int.	A	3-31-09	
IL3153213	Little Bit Country Preschool	A – Changed to Transient System	6-25-09	
IL3153288	Cross Roads Community Church	A	6-25-09	
IL3153346	Scott Company Hyponex	A	6-25-09	
IL3153411	Vermilion Power Station	I	9-17-09	
IL3153569	Rovanco Piping System Inc.	A	9-25-09	
IL3153890	Curry Ice & Coal	I	12-30-09	
IL3153924	Hanson Pressure Pipe West Well	A	6-3-09	
IL3154047	Full Fill Industries	A	2-16-10	<11
IL3154153	CORNERSTONE EARLY LEARNING	A	1-25-10	
IL3154161	HELMAR LUTHERAN CHURCH	A	3-20-12	<11
IL3154476	Open Bible Church	A	3-30-10	
IL3154724	Lifes Little Miracles	A	4-13-10	<11
IL3154567	Moore Tires Inc.	A	4-26-10	
IL3154633	Lutheran General Hospital	A	6-24-10	
IL3154666	Monroe Center School 2 nd Well	A	6-24-10	
IL3155028	MASJID AL HUDA SCHOOL	A	10-20-10	
IL3147736	Flower Garden Day Care 3 rd Bulilding	A	2-9-11	
IL3148429	MONTESSORI ACADEMY GLEN ELLYN	A	2-10-11	
IL3151365	Children of Promise	A	2-10-10	<11
IL3155382	SEPTRAN INC	A	2-24-11	
IL3155168	SAUBER MFG CO 11 BAY	I	3-15-11	

IL3155150	SAUBER MFG CO SUPER SHOP	A	3-15-11	
IL3155390	PEACEFUL PATHWAYS	A	4-3-11	
IL3155416	FOX METRO WATER RECLAMATION DISTRICT	A	4-19-11	<11
IL3155358	SUNSET FOODS VILLAGE OF LONG GROVE	A	5-17-11	
IL3155291	FORBO ADHESIVES	A	5-26-11	
IL3155309	NORTHSHORE UNIVERSITY HEALTH SYSTEM	A	6-28-11	
IL3155606	UIC MEDICAL CENTER CHICAGO	A	8-31-11	
IL3155614	HEARTLAND PRIVATE SCHOOL	A	9-21-11	<11
IL3155747	NORTHFIELD BLOCK COMPANY 1	A	9-29-11	11
IL3155754	NORTHFIELD BLOCK COMPANY 2	A	9-29-11	11
IL3155762	NORTHFIELD BLOCK COMPANY 3	A	09-29-11	11
IL3155796	AMERICAN AD BAG	A	10-12-11	<11
IL3155804	MARION JOY REHAB HOSPITAL	A	01-10-12	
IL3155952	CHRIST COMMUNITY CHURCH	A	01-10-12	
IL3155986	KOLB-LENA CHEESE COMPANY	A	01-10-12	
IL3156323	TRINITY COMMONS	A	04-02-12	5
IL3156471	PCS PHOSPHATE	A	06-26-12	
IL3156554	QUENTIN ROAD BIBLE BAPTIST SCHOOL	A	07-17-12	
IL3156646	WONDERS OF CHILDREN DAYCARE	A	08-02-12	
IL3156695	NACHUSA LUTHERAN HOME	A	09-13-12	<11
IL3156737	ARTCO LEMONT	A	09-13-12	
IL3156760	PRECISION PLANTING	A	09-17-12	<11
IL3156836	JW MARRIOTT HOTEL	A	11-12-12	
IL3156943	COUNTRYSIDE CENTER HANDICAPPED	A	12-31-12	
IL3156968	WHOLE FOODS MARKET WELL	A	12-31-12	
IL3157149	JX PETERBUILT	A	04-02-13	
IL3157164	AUX SABLE MORRIS	A	04-02-13	

IL3157289	RIVER TERRACE CHURCH	A	05-13-13	
IL3157297	BERNER FOOD & BEV	A	05-15-13	
IL3157347	PREMIER FABRICATION	A	06-04-13	
IL3157412	RINKS HOLDING LLC	A	07-15-13	
IL3157479	TUGRANT DIVERSIFIED BRANDS	A	09-24-13	

Attachment 3:
Response to Inquiries
Regarding Illinois' 2004 Capacity Development Annual Report
March 25, 2005

1. How are the Field Operations Section (FOS) activities coordinated based on the prioritization system as specified in your approved CD Strategy? The CD strategy specifies a three-tier system that will be used to identify and assist systems. How is FOS incorporating this tier system into their work?

The three-tiered capacity prioritization system described in the 2000 Capacity Strategy was linked to the Agency Enforcement Management System (EMS), adopted by all bureaus within Illinois EPA on October 4, 2004. Prior to that date, capacity prioritization also took into account the provisions of Section 31(a) of the Illinois Environmental Protection Act (Act) as required. The EMS is used to define the process by which all programs within IEPA pursue compliance. The general objective of the EMS is to protect the public health and environment of Illinois through enforcement of environmental regulatory requirements in a timely, consistent and fair manner. The EMS includes compliance monitoring and enforcement procedures that must be used by **all** Agency regulatory programs.

The EMS Strategy, based upon Section 31(a) of the Act, requires the Agency to issue a Violation Notice (VN) within 180 days of becoming aware of a violation. All Priority One supplies fall into the VN category. In order to return to compliance, a Compliance Commitment Agreement (CCA) must be executed by the public water supply and the Agency. The Agency monitors compliance with the CCA until compliance is achieved. Failure to meet the conditions of the agreement or renegotiate the agreement based upon changed circumstances results in formal referral to the State Attorney General for enforcement. Information regarding a capacity development demonstration as a part of the compliance achievement process is offered as a step in that process each time a VN is issued. Technical assistance is provided during the compliance process, regardless of whether or not a supplier decides to complete a full capacity demonstration as a part of the CCA. In some cases, the Agency may require a capacity development demonstration as a step in the CCA.

An informal warning letter, called a Noncompliance Advisory (NCA) letter, is used for Priority Two supplies. If a water supply fails to come into compliance when a NCA has been issued, a VN is issued. Information regarding a capacity development demonstration as a part of the compliance achievement process is offered as a step in that process each time a NCA or VN is issued. Technical assistance is provided during the compliance process, regardless of whether or not a supplier decides to complete a full capacity demonstration as a part of the CCA.

Priority Three supplies are all other water supplies that receive routine operational visits or scheduled engineering evaluations (sanitary surveys). All supplies scheduled for routine engineering evaluations receive the capacity screening survey. This survey focuses upon key managerial, financial and technical aspects of water supply operation that might not have been adequately addressed prior to the focus upon capacity demonstration.

2. General tracking and oversight at headquarters was initially conducted using a spreadsheet tracking system. Data collected was not easy to retrieve from this format. In October 2004, emphasis was placed upon the use of the SDWIS Inspection and Site Visit Maintenance Report. All field activities are now tracked using this form. By January 2005, all Regions were informed as to the need to use of the report, and have begun to routinely submit the tracking forms to headquarters, where they are entered into SDWIS. All of the codes contained in the Reason Code Table apply to various routine activities that comprise capacity development. Once data is loaded into SDWIS from all systems, USEPA can use SDWIS to extract any combination of data needed to fulfill its reporting requirements.

3. Illinois feels that the Capacity Strategy is sound, and that the additional elements being added to the basic engineering evaluation process through the Capacity Pre-screening Surveys are improving the Division's ability to assess the capacity of each water supply, and to target technical assistance activities. Illinois remains convinced that capacity development is the basic drinking water oversight program, but has expanded its original range of parameters to be surveyed to accommodate the scope of managerial and financial objectives described in guidance by USEPA. Activities of the Groundwater Section are also being factored into the three priority tiers. Capacity development activities conducted by Groundwater Section personnel will also be tracked in SDWIS. By calendar year 2006, sufficient data should be in place to allow better assessment of capacity development assistance. For example, the identification of a specific type of deficiency within a geographic area will facilitate the identification of locations needing outreach activities. Where a cluster of the same deficiency exists, specific training and technical assistance can be offered in that area of deficiency at a convenient location. Assistance with areas of deficiency that need statewide improvement can be provided to organizations that attract statewide participation for inclusion in technical programs. Isolated elements will continue to be handled by individual field offices, or Illinois Rural Water Association personnel.

At some point, within the next 5 - 10 years, depending upon available staff resources, all base technical, managerial and financial (TMF) elements will be in place in the engineering evaluation itself, and the capacity program for existing systems will be absorbed into the ongoing engineering evaluation process. At that time, existing system capacity development will consist of identification and integration of TMF elements required by new or amended regulations into the engineering evaluation process. The new system capacity program will remain in place as a distinguishable, separate program effort.

Illinois continues to measure the success of the capacity development program through water supply compliance rates and increased participation in continuing education sponsored by various groups throughout the State of Illinois. These improvements are enhanced by the State Revolving Loan Fund (SRF) program that assists some supplies in completing capital development projects needed to accomplish compliance, and through continuing education requirements mandated for certified drinking water operators that result in better operation of water treatment facilities. The length of time that a water supply is out of compliance for reasons other than those that require major capital improvements have also decreased significantly, to not more than one year.

4. The Illinois DPH policy of performing sanitary surveys every two years minimizes the need for a detailed prioritization scheme under the Capacity Development program. Additional prioritization is based on 1) the highest priority, water supplies in non-compliance with the National Primary Drinking Water Regulations, 2) capacity needs the field office identifies during the sanitary survey, and 3) regulatory issues identified by central office.

SDWIS/State was installed at Illinois DPH in November 2004. Loading of site visits into SDWIS is underway to track sanitary surveys and capacity development visits. In addition, compliance tracking will be greatly enhanced, which will improve capacity development efforts.

Illinois DPH also measures the success of the capacity development program through water supply compliance rates. These improvements are also enhanced by continuing education requirements mandated for certified drinking water operators that result in better operation of water treatment facilities. In addition, due to outreach efforts by central office staff, surface water supplies and many ground water supplies are much more aware of their responsibilities under the regulations, which Illinois DPH views as an improvement.

Attachment 4:
Response to “Areas of Improvement”
Regarding Illinois' 2012 Capacity Development Annual Report
March 12, 2013

1. A list of new non-community water systems was provided as an attachment to the annual report. Under the ETT score column some systems were listed as “Non-compliant – No ETT Score.” If a system is a non-complier, there should be an ETT score associated with that system. State should populate this column with the ETT scores.

Attachment 2 (as well as Attachment 1) of the preceding report has been modified.

2. When statewide or regional needs are identified, IEPA works with professional associations to provide training. Region 5 would like to see more information on the identified needs and provided trainings as part of each annual report: when and what needs were identified; topics provided at training sessions as well as number of trainings provided throughout the state; and what professional associations were involved. This information will give the Region a better picture of what activities/trainings are being implanted under the CD program.

While the Illinois EPA understands this request, it is clear that the U.S. EPA Region 5 does not fully understand the outreach process in Illinois. Generally, groups like the Illinois Rural Water Association, Illinois Section of the American Water Works Association, Illinois Potable Water Supply Operators Association and local operator associations request technical assistance from the Illinois EPA. These requests come in throughout the year and generally focus on areas of concern as they arise or are perceived by the particular interest group. For the Illinois EPA to track this level of detail, we would need to institute a separate tracking system with no purpose other than reporting. At this time, the Illinois EPA- Division of Public Water Supplies does not have the resources to institute such a process and is not convinced that doing so would be in the best interest of the State.

3. We recognize the continued financial and managerial capacity issues particularly for small systems in the State, especially as we have taken on a number of arsenic and radionuclide enforcement cases. We believe Illinois' capacity development program would benefit from an enhancement to address these financial and managerial capacity issues such as promoting more realistic user rates and budget planning for current and long term needs.

This comment somewhat surprises the staff of the Illinois EPA- Division of Public Water Supplies. Since the U.S. EPA has had the experience of assisting Illinois in a small number of enforcement cases, the staff would expect that the experience would have lent some perspective on how difficult it is to influence water supplies with respect to financial capacity. Further, very few water systems are subject to statutory rate setting in Illinois (only privately owned utilities are subject to the Illinois Commerce Commission). Therefore, other than encouraging water systems to act progressively, the Illinois EPA has no authority to require actions beyond our current program.

4. We would like IEPA hire a dedicated person to implement the CD program at the staff level. Having a full time CD Coordinator will enhance the program and will improve system capacity

at the state level. We would also like to encourage IEPA's attendance at the CD multi-regional and national workshops. The next national workshop is in November 2013, in Atlanta, Georgia.

The Illinois EPA will take this request for additional head count under advisement. The U. S. EPA must understand that, under the current financial climate, adding any full time equivalents (FTEs) is extremely difficult and must compete with Field Office Engineers and other staff vacancies resulting from attrition. The Illinois EPA was able to send a representative to the National Meeting in Atlanta.

5. Region 5 would like to see the IEPA Capacity Development Program do all it can to promote asset management at small PWSs by distributing tools like Check Up Program for Small Systems (CUPSS) and training operators on how to use them.

The Illinois EPA has worked with training providers like the Illinois Rural Water Association, Illinois Section of the American Water Works Association, Illinois Potable Water Supply Operators Association and the Environmental Resource Training Center at Southern Illinois University- Edwardsville Campus in the use CUPSS. From the feedback obtained to date, this program does not have much traction in Illinois. Possibly, in the future, Illinois training providers will modify this program to accommodate the very small systems that struggle most to achieve compliance.

6. As a national priority, Region 5 is concerned about the predicted workforce losses of the operators to the industry through retirements and believes returning veterans represent a major recruiting opportunity for water and wastewater utilities (e.g., EPA- U.S. Department of Veterans Affairs Memorandum of Understanding).

The Illinois EPA agrees that attrition has the potential to affect the ability of water systems to provide adequate technical capacity to ensure safe and adequate water into the future. In light of this impending issue, the Illinois EPA has devoted a large resource investment in working with the Illinois' Water Supply Operators Advisory Board. To date, this effort has resulted in two draft Regulatory Revisions. The first has been promulgated and is designed to enhance contractual operator agreements between water supplies and responsible operators in charge. The second establishes an operator in training program. The later regulatory amendment is expected to go to Second Notice before the Joint Committee on Administrative Rules within the next month.